



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

AGENDA • JULY 11, 2023

Regular

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

I. Call to Order

II. Open Public Meetings Statement

This meeting complies with the Open Public Meetings Act by adequate and electronic notification on Feb. 10, 2023 of this meeting and its location, date and time to the Asbury Park Press, Star Ledger and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.

III. Flag Salute

IV. Board Policy

- It is Board Policy that no application will be opened after 9:30 P.M.
- No new testimony will be taken after 10:00 P.M., except at the discretion of the Board.

V. Roll Call

VI. Board Business

1. Report of Pending Applications

VII. Approval of Minutes

1. Planning/Zoning Board - Regular - Nov 9, 2022 7:00 PM
2. Planning/Zoning Board - Regular - Dec 13, 2022 7:00 PM

VIII. Old Business: None

IX. New Business

1. PB2023-08 Torregrossa, Andrew

Block 18, Lot 12

95 Algonquin Ave.

Proposed roof covered porch over portion of existing rear yard deck and proposed generator seeking bulk variance relief for:

- Maximum impervious coverage, 37% permitted, 42.25% proposed
- Maximum lot coverage, principle structure 25% permitted, 30% proposed
- Minimum rear yard setback, 25' permitted, 15.04' proposed

DFD 9/26/2023

2. PB2023-06 Marina at Oceanport Partners, LLC

Block 104, Lot 1

10 Riverside Avenue

Major Site Plan Application

X. Petitions from the Public

XI. Adjournment



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES • NOVEMBER 9, 2022

Regular

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

- I. **Call to Order:** Chairman Whitson called the meeting to order at 7:01 PM.
- II. **Open Public Meetings Statement:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 20, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.
- III. **Flag Salute:** Chairman Whitson led attendees and members of the Board in the flag salute.
- IV. **Board Policy:** Chairman Whitson advised of the following Board policies: It is Board Policy that no application will be opened after 10:00 P.M.; no new testimony will be taken after 10:30 P.M., except at the discretion of the Board
- V. **Roll Call:**

Attendee Name	Title	Status	Arrived
James Whitson	Chairman	Present	
John (Jack) Kahle	Vice Chairman	Present	
Patty Cooper	Mayor's Designee	Present	
Thomas Tvrdik	Class III	Absent	
Joseph Foster	Environmental Commission Liaison	Absent	
Christopher Widdis C	Class IV	Present	
Robert Kleiberg	Class IV	Present	
Darren Davis	Class IV	Absent	
Michael Dailey	Class IV	Absent	
Leslie B Widdis L	Alternate I	Present	
Jeanne Smith	Board Secretary	Present	
Kevin Kennedy	Board Attorney	Present	
William White	Board Engineer/Planner	Present	

VI. **Board Business:**

1. Report of Pending Applications - Ms. Smith advised the next meeting was scheduled for December 13, 2022 and described applications for 51 Algonquin Ave, 7 Bayview Place and 60 Werah Place.
2. Correspondence – Ms. Smith read a letter from Applicant Joseph Sherman thanking the Board and appreciation for the professional manner in which his application was handled.

VII. **Approval of Minutes:**

1. Planning/Zoning Board - Regular - Jan 25, 2022 7:00 PM – carried to December 13, 2022
2. Planning/Zoning Board - Regular - Apr 26, 2022 7:00 PM – carried to December 13, 2022
3. Planning/Zoning Board - Regular - May 10, 2022 7:00 PM – carried to December 13, 2022
4. Planning/Zoning Board - Regular - Sep 13, 2022 7:00 PM – carried to December 13, 2022
5. Planning/Zoning Board - Regular - Oct 11, 2022 7:00 PM – carried to December 13, 2022
6. Planning/Zoning Board - Regular - Oct 25, 2022 7:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Christopher Widdis C, Class IV
SECONDER: John (Jack) Kahle, Vice Chairman
AYES: Whitson, Kahle, Cooper, Widdis C, Kleiberg, Widdis L
ABSENT: Tvrdik, Foster, Davis, Dailey

VIII. Old Business:

- PR-22-33 Resolution of Approval - Harvey, 28 Revere Dr. - As the resolution was provided in advance of the meeting, Mr. Kennedy summarized the resolution and its conditions which was moved for approval by Mr. Widdis, seconded by Mrs. Cooper.

RESULT: ADOPTED [5 TO 0]
MOVER: Christopher Widdis C, Class IV
SECONDER: Patty Cooper, Mayor's Designee
AYES: Whitson, Kahle, Cooper, Widdis C, Widdis L
ABSENT: Tvrdik, Foster, Davis, Dailey
INELIGIBLE: Kleiberg

- PB2022-18 Carchio, Kathleen
 60 Werah Place
 Block 51, Lot 2
 Carried from October 25, 2022
 Applicant is proposing the construction of a covered porch addition to rear of dwelling seeking relief for:
 - Rear yard setback of 19.6' where 25' required
 - Building coverage of 28.4% where 25% is maximum permitted
 - Impervious coverage of 43.4% where 37% is maximum permitted.

EXHIBITS:

A-5 Plot Plan prepared by Shorepoint Engineering dated October 25, 2022
 A-6 Collier's Engineering Review Letter dated November 8, 2022

Mr. Widdis recused himself from the matter due to his residence being on the 200' list and exited the meeting at 7:09 PM

Motion to Approve Application as Amended

RESULT: ADOPTED [UNANIMOUS]
MOVER: John (Jack) Kahle, Vice Chairman
SECONDER: Patty Cooper, Mayor's Designee
AYES: Whitson, Kahle, Cooper, Widdis C, Kleiberg, Widdis L
ABSENT: Tvrdik, Foster, Davis, Dailey

IX. New Business:

- PB2022-23 MSA Architects
 Block 105, Lot 6
 61 Riverside Avenue
 Proposed improvements including new pool, cabana, garage, mud room, modification to porch, modification to driveway and fence that requires variance relief as follows:
 - Minimum Lot Area of 21,469 s.f. existing where 30,000 s.f. required.
 - Minimum Lot Width of 97.80' existing where 150' required.
 - Minimum Lot Depth of 175' existing where 200' required.
 - Minimum front yard setback 47.4' existing from Riverside Avenue where 50' required.

- Minimum front yard setback - The secondary front yard setback is required to provide a minimum of 25 feet. The garage addition is 10 feet from the unimproved right of way.
- Maximum Impervious Coverage - 19.97% existing, 31.7% proposed, 25% permitted.

EXHIBITS

A-1 Land Development Application

A-2 Boundary Survey prepared by InSite Surveying dated August 12, 2020

A-3 "Variance, Addition, Pool & Garage Grading Plan" prepared by D.S. Engineering, P.C. dated July 8, 2022

A-4 "Saladino Residence," prepared by Michael Savarese Associates Architects, last revised August 4, 2022, (5) sheets.

A-5 Collier's Engineering Review Letter dated October 11, 2022

A-6 "Variance, Addition, Pool and Garage Grading Plan," prepared by D.S. Engineering, P.C., last revised October 26, 2022.

A-7 "Saladino Residence," prepared by Michael Savarese Associates Architects, last revised October 26, 2022, consisting of five (5) sheets.

A-8 Collier's Engineering Review Letter dated November 8, 2022

Motion to Approve Application

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Leslie B Widdis L, Alternate I
SECONDER:	John (Jack) Kahle, Vice Chairman
AYES:	Whitson, Kahle, Cooper, Widdis C, Kleiberg, Widdis L
ABSENT:	Tvrdik, Foster, Davis, Dailey

2. PB2022-24 White, Joseph

Due to a potential notice issue, the Applicant's Attorney has requested a new hearing date and new notices will be issued for the new hearing date.

X. Petitions from the Public: Chairman Whitson opened the meeting for petitions from the public. As there was no one from the public present, Chairman Whitson closed that portion of the meeting.

XI. Adjournment: As there was no further business, the meeting was adjourned at 7:26 pm on a motion by Mr. Kleiberg which was seconded by Ms. Cooper and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary

**BOROUGH OF OCEANPORT****PLANNING/ZONING BOARD****MINUTES • DECEMBER 13, 2022****Regular****Clement V. Sommers Municipal Building****7:00 PM****910 Oceanport Way, Oceanport, NJ 07757**

- I. Call to Order:** Chairman Whitson called the meeting to order at 7:01 PM.
- II. Open Public Meetings Statement:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 20, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.
- III. Flag Salute:** Chairman Whitson led attendees and members of the Board in the flag salute.
- IV. Board Policy:** Chairman Whitson advised of the following Board policies: It is Board Policy that no application will be opened after 10:00 P.M.; no new testimony will be taken after 10:30 P.M., except at the discretion of the Board

V. Roll Call:

Attendee Name	Title	Status	Arrived
James Whitson	Chairman	Present	
John (Jack) Kahle	Vice Chairman	Present	
Patty Cooper	Mayor's Designee	Late	7:11 PM
Thomas Tvrdik	Class III	Absent	
Joseph Foster	Environmental Commission Liaison	Present	
Christopher Widdis C	Class IV	Present	
Robert Kleiberg	Class IV	Absent	
Darren Davis	Class IV	Present	
Michael Dailey	Class IV	Present	
Leslie B Widdis L	Alternate I	Absent	
Jeanne Smith	Board Secretary	Present	
Kevin Kennedy	Board Attorney	Present	
William White	Board Engineer/Planner	Present	

VI. Board Business:

1. Report of Pending Applications
2. Annual Report
3. 2023 Reorganization Meeting – Ms. Smith advised that the Reorganization Meeting was being scheduled for January 10, 2023 and would be advertised in accordance with law.

VII. Approval of Minutes: Chairman Whitson advised that minutes were being held for a future meeting.

VIII. Old Business:

1. Resolution of Approval, 60 Werah Place - As the resolution was provided in advance of the meeting, Mr. Kennedy summarized the resolution and its conditions which was moved by Mr. Kahle, seconded by Mr. Whitson.

RESULT: ADOPTED [2 TO 0]
MOVER: John (Jack) Kahle, Vice Chairman
SECONDER: James Whitson, Chairman
AYES: Whitson, Kahle
ABSENT: Cooper, Tvrdek, Kleiberg, Widdis L
INELIGIBLE: Foster, Davis, Dailey
RECUSED: Widdis C

2. Resolution of Approval, 61 Riverside Drive - As the resolution was provided in advance of the meeting, Mr. Kennedy summarized the resolution and its conditions which was moved by Mr. Widdis, seconded by Mr. Kahle.

RESULT: ADOPTED [3 TO 0]
MOVER: Christopher Widdis C, Class IV
SECONDER: John (Jack) Kahle, Vice Chairman
AYES: Whitson, Kahle, Widdis C
ABSENT: Cooper, Tvrdek, Kleiberg, Widdis L
INELIGIBLE: Foster, Davis, Dailey

IX. New Business: Chairman Whitson advised that the Board would be hearing 51 Algonquin Ave application first, taking the agenda out of order with no objections.

1. PB2022-25 MSA Architects, Santana
 51 Algonquin Ave
 Block 17, Lot 19
 Proposed pool in secondary front yard needing bulk variance relief for:
 - Accessory structures not permitted in front yard

EXHIBITS:

A-1 Land Development Application
 A-2 Zoning Denial Letter
 A-3 Pool Variance Plan prepared by Morgan Engineering and Surveying, last revised Sept. 26, 2022
 A-4 Survey of Property prepared by Charles Surmonte, PE & PLS, dated June 12, 2018
 A-5 Colliers Engineering Review Letter dated November 15, 2022
 A-6 Google Aerial Photograph
 A-7 Conceptual Aerial Photograph

The following person(s) were sworn in: William White, Board Engineer/Planner.

Mr. Kennedy asked if there was anyone from the public with a question as to the sufficiency of the notice. As there were no objections to the notice, stated that he and Ms. Smith had reviewed the notice and found it to be in order. Mr. Kennedy then described and marked Exhibits A-1, A-2, A-3, A-4, A-5

2. PB2022-24 White, Joseph
 274 Port Au Peck Avenue
 Block 19, Lot 9
 Applicant seeks to subdivide the existing lot into two new lots and construct a 1 story single family dwelling for proposed 25.01 with variance relief sought for:
 - Minimum lot width of 100' is proposed for both new lots where 120' required

EXHIBITS:

A-1 Land Development Application

A-2 Plan entitled "Survey of Property," prepared by JY Land Surveying, Inc., dated March 28, 2022
A-3 Plan entitled "Minor Subdivision Plan" prepared by InSite Engineering, LLC, dated August 4, 2022, consisting of four (4) sheets.
A-4 Plan entitled "Proposed Alteration/Addition for White/Gagliardi Residence" prepared by Brian Fitzgerald Arch + Design, dated September 7, 2022, consisting of nine (9) sheets
A-5 Colliers Engineering Review Letter dated October 10, 2022

The following person(s) were sworn in: William White, Board Engineer/Planner.

Mr. Kennedy asked if there was anyone from the public with a question as to the sufficiency of the notice. As there were no objections to the notice, stated that he and Ms. Smith had reviewed the notice and found it to be in order. Mr. Kennedy then described and marked Exhibits A-1, A-2, A-3, A-4, A-5

- X. Petitions from the Public:** Chairman Whitson opened the meeting for petitions from the public. As no one from the public appeared, Chairman Whitson closed that portion of the meeting
- XI. Adjournment:** As there was no further business, the meeting was adjourned at 8:26 pm on a motion by Mr. Davis which was seconded by Mr. Kahle and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 2809)

9.1

Meeting: 07/11/23 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Kelle Burrough
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2809

PB2023-08 Torregrossa, Andrew

Block 18, Lot 12
95 Algonquin Ave.

Proposed roof covered porch over portion of existing rear yard deck and proposed generator seeking bulk variance relief for:

- Maximum impervious coverage, 37% permitted, 42.25% proposed
- Maximum lot coverage, principle structure 25% permitted, 30% proposed
- Minimum rear yard setback, 25' permitted, 15.04' proposed

DFD 9/26/2023

101 Crawfords Corner Road
Suite 3400
Holmdel, New Jersey 07733
Main: 877 627 3772



May 30, 2023

VIA EMAIL

Jeanne Smith, Planning Board Secretary
Borough of Oceanport Planning Board
910 Oceanport Way
P. O. Box 370
Oceanport, NJ 07757

95 Algonquin Avenue – Bulk Variance
Block 18, Lot 12
Application No. PB2023-08
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPP-0347

Dear Board Members,

Our office has received the following information in support of the above-referenced Application:

- Plan entitled "Survey of Property" prepared by Charles Surmonte P.E. & P.L.S. dated June 10, 2022 consisting of one (1) sheet;
- Plan entitled "Addition – Alteration Torregrossa Residence" prepared Jeremiah J. Regan, A.I.A. last revised April 6, 2023 consisting of two (2) sheets.

The subject property is situated in the R-3 – Residential Single-Family Zone District and contains 12,000 square feet (0.275 acres) on the north side of Algonquin Avenue approximately 340 feet east of the intersection with Mohawk Avenue. The Applicant received approval to convert an existing garage and construct a new attached two-car garage in March 2021. The Applicant currently proposes to construct a roof over the existing rear deck and proposed generator on a platform on the west side of the dwelling.

Based on our review, we recommend that the Application be deemed complete and scheduled for the next available public hearing. The Applicant shall provide proof of public notification as required for this Application. A planning and engineering review of the Application is included below.

A. Variances/Design Waivers

We offer the following comments for the Board's consideration:

1. Bulk variances are required for the following:
 - a. Maximum Lot Coverage - Principal Structure: 25% permitted, 29.92% existing, 30% proposed.
 - b. Maximum Impervious Coverage: 37% permitted, 39.5% existing, 42.52% proposed.
 - c. Minimum Rear Yard Setback – 25' required, 15.04' proposed.

The Municipal Land Use Law permits the granting of a hardship variance under either of two following situations (C.40:55D-70c):

1. **Hardship c(1) - Physical Constraints** – Hardship variances may be granted if the strict application of the ordinance would impose peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer based upon the existence of the following conditions:
 - a. Exceptional narrowness, shallowness or shape of a specific piece of property;
 - b. Exceptional topographic conditions or physical features uniquely affecting a piece of property; and,
 - c. An extraordinary and exceptional situation uniquely affecting a specific piece of property of the structures lawfully existing thereon.
2. **Flexible "c" or c(2) - Benefits Outweighing Detriments** - A variance may be granted where the purpose of the Municipal Land Use Law would be advanced by the proposed deviation and the benefits of the deviation would substantially outweigh any detriment.

The Applicant shall provide testimony in support of the variance being requested and/or identified.

B. General Comments

1. The architectural plan references a 2012 survey. A 2022 Final Survey was included with the Application which was performed after the garage was constructed. The current aerials indicate a walkway that wraps around the garage into a patio area east of the deck. The type of material needs to be clarified as it may affect the Impervious Coverage variance that is requested. If it is impervious, an updated survey should be required to assure the impervious coverage calculation is accurate.

2. The date of the survey referenced on the architectural plans shall be updated.
3. A signed and sealed copy of the 2022 survey shall be provided to the Board Secretary.
4. The generator platform has to be at or above elevation 12.4 as the property is in an AE10 Flood Zone.
5. The Applicant appears to have encroached into the Blackberry Bay Park property. The rear property line is 15' off the deck and the area clear is in excess of 50'. This area is protected under Green Acres and may subject the Borough to enforcement action by NJDEP. The Applicant shall cease to utilize and maintain the area beyond the rear property line. A split rail fence should be installed along the rear property line as a delineator.

Should you have any questions regarding this matter, please do not hesitate to contact me directly.

Sincerely,

Colliers Engineering & Design
(DBA Maser Consulting)



William H.R. White, III, PE, PP, CME, CFM, CPWM
Planning Board Engineer and Planner

WHW/dmm

cc: Kevin Kennedy, Esq., Board Attorney (via email)
Anthony Torregrossa, Applicant (via email)

R:\Projects\M-P\Opp\OPP0347\Correspondence\OUT\230530_whw_smith_95_algonquin.docx

SCALE: N.T.S.

95 ALGONQUIN AVENUE
BLOCK-18 LOT-12
R-3 SINGLE FAMILY

	<u>REQUIRED</u>	<u>EXISTING</u>	<u>PROPOSED</u>
LOT AREA	12,000 SF	12,000 SF	N/C
LOT WIDTH	120'	120'	N/C
LOT DEPTH	100'	100'	N/C

B4	2 1/2' / 35'	2 / 23'-10 3/16"	N/C
LC-PB	25 %	⊕ 3,530 SF / 29.92%	* 3,600 SF / 30.00%
LC-AB	5 %	38 SF / 32 %	54 SF / 45 %
FY5B	30'	30.5'	NC
SY5B	10' / 20'	10.4' / 25.4'	10.4' / 23.4'
RY5B	25'	26.31'	* 150.4' (REAR PORCH)

IC	37 %	(*) 4,140 SF / 39,50 %	** 5,102 SF / 42,52 %
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NA NOT APPLICABLE
NC NO CHANGE
* EXISTING NON-CONFORMING
(*) EXISTING NON-CONFORMING (*-VARIANCES GRANTED 3-9-21)
** VARIANCE NEEDED

EXISTING LOT COVERAGE (PRINC. BLDG.)	
DWELLING	2990 SF
DECK	600 SF
	<u>3590 SF / 29.92 %</u>

EXISTING LOT COVERAGE (ACC. BLDG.)
AC PLATFORMS 38 SF / 32 %

PROPOSED LOT COVERAGE (PRINC. BLDG.)	
DWELLING	2,990 SF
REAR PORCH ADDITION	362 SF
DECK	248 SF
	<u>3,600 SF / 30.00 %</u>

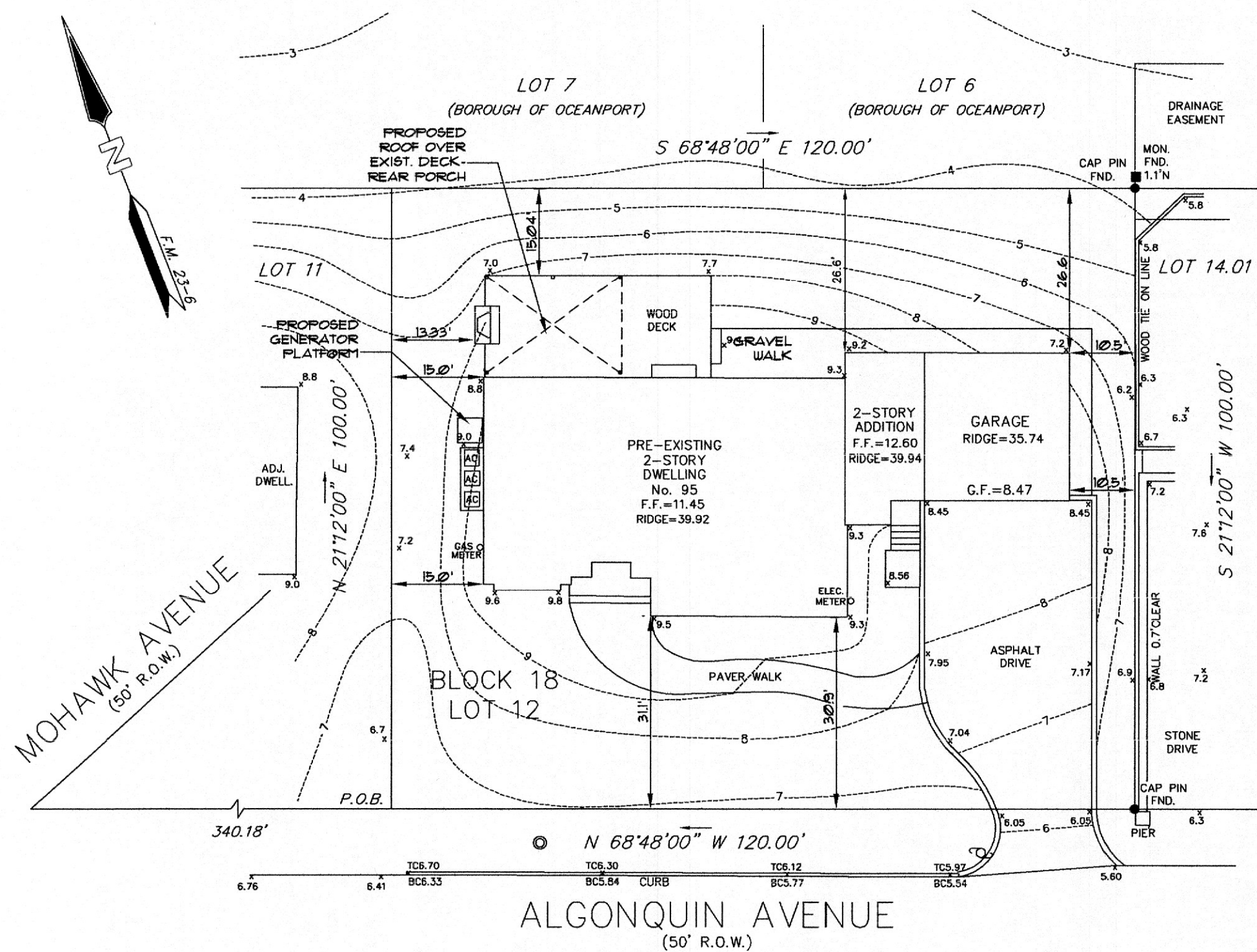
PROPOSED LOT COVERAGE-(ACC. BLDG.)	
AC PLATFORMS	38 SF
GENERATOR PLATFORM	16 SF
	54 SF / 45 %

BOROUGH OF OCEANPORT PLANNING BOARD

CHAIRMAN _____ DATE _____

SECRETARY _____ DATE _____

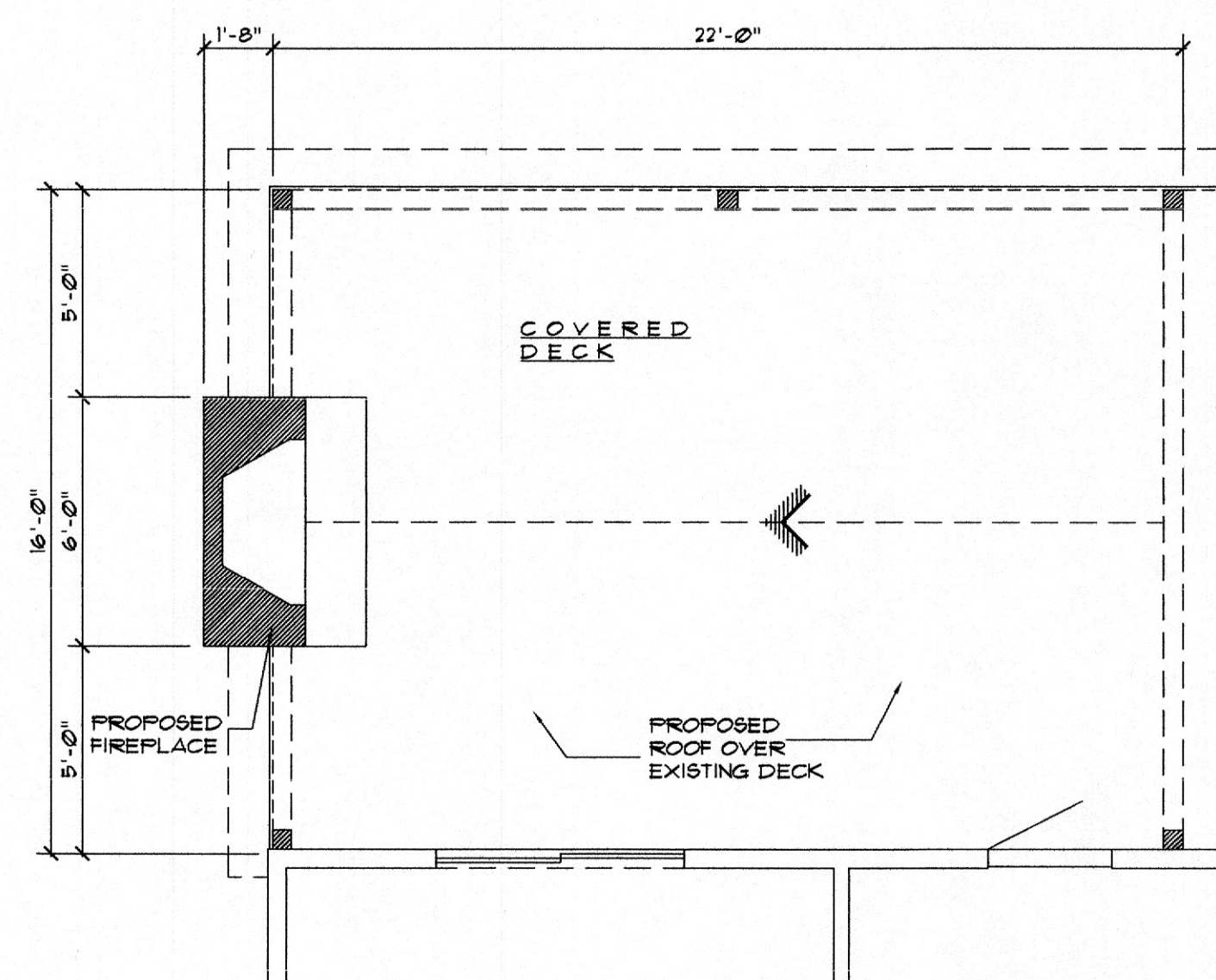
ENGINEER _____ DATE _____



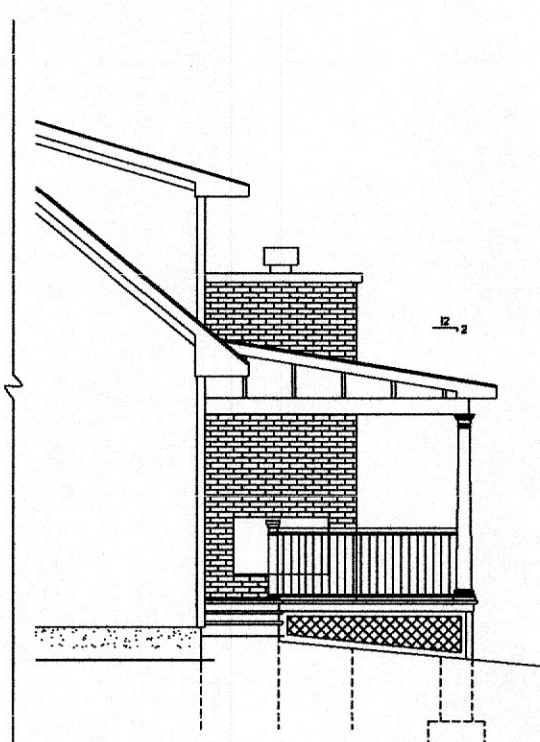
SCALE: 1" = 20'-0"

SURVEY INFORMATION
TAKEN FROM SURVEY BY:

CHARLES SURMONTE P.E. & P.I.
LICENSE # 35885
301 MAIN STREET, 2ND FLOOR
ALLENHURST, NJ 07711
PH-732-660-0606
FAX-732-660-0404
DATE: 8-27-12



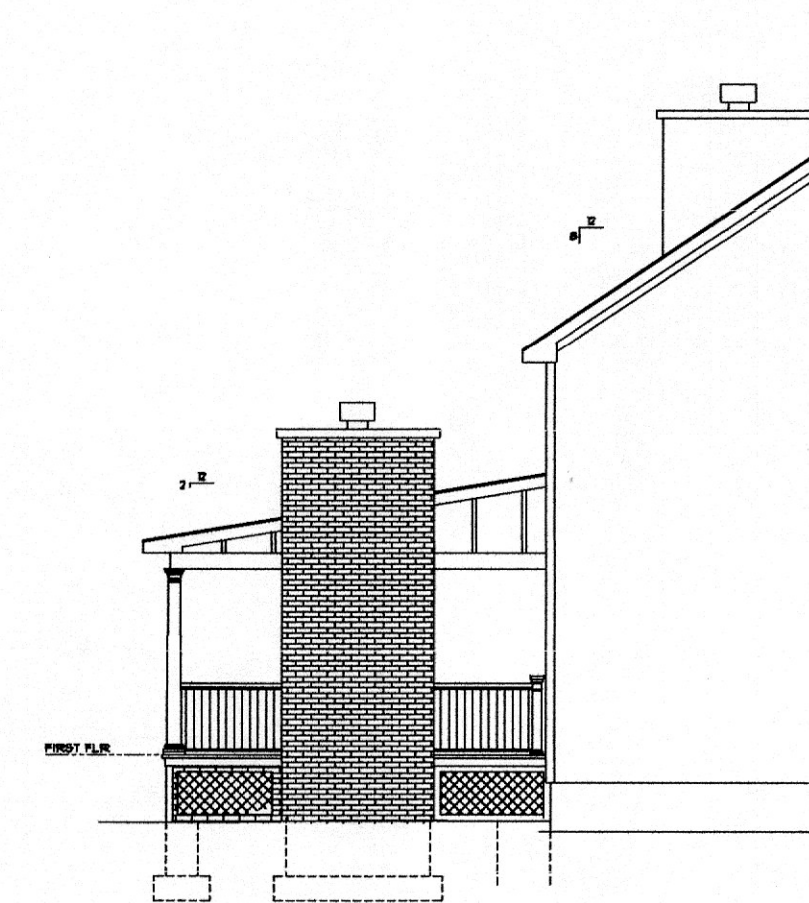
SCALE: 1/4" = 1'-0"



SCALE: 1/8" = 1'-0"



SCALE: 1/8" = 1'-0"



SCALE: 1/8" = 1'-0"

JEREMIAH J. REGAN, A.I.A.
A R C H I T E C T

147 BRIGHTON AVENUE • 2ND FLR • LONG BRANCH • N.J. • 07740
PH: (732) 870-2977 • FAX: (732) 870-1213 • EMAIL: jeremiahregan@aol.com

NEW JERSEY LIC AI-0726
MARYLAND LIC 3060-A

ADDITION • ALTERATION
TORREGROSSA RESIDENCE
(REAR PORCH)
95 ALGONQUIN AVENUE
OCEANPORT, NJ
BLOCK-18 LOT-12

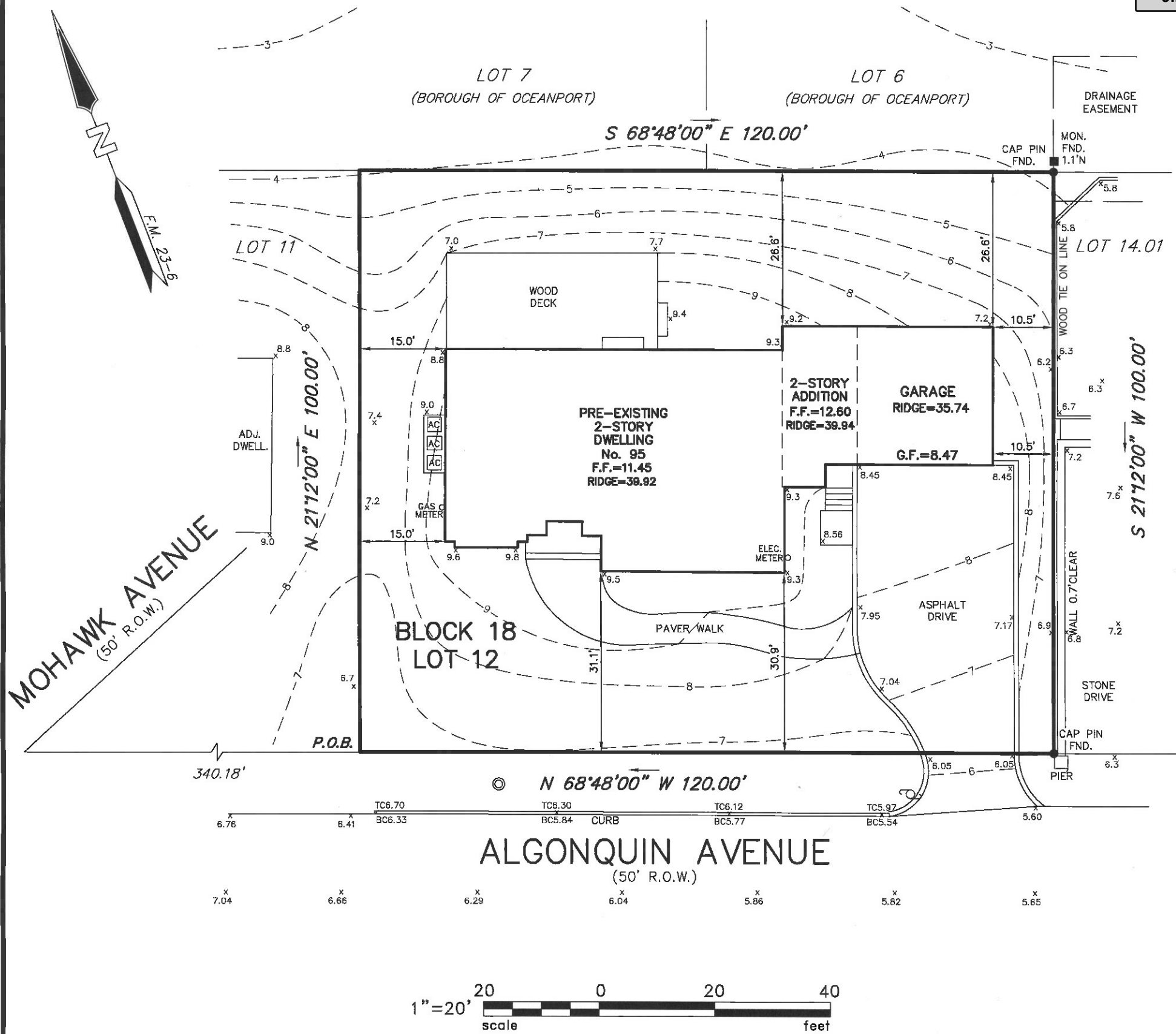
SUBJECT

KEY MAP
SITE PLANS
ZONING DATA
FLOOR PLAN
ELEVATIONS

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	4-6-23	GENERATOR	MF

[illegible]

SCALE 6	DRAWN BY MH	CHECKED BY JJS
PROJECT NO. 2309		DATE 3/1/23
DRAWING NO V-1 1 OF 1		



FINAL SURVEY			
95 ALGONQUIN AVENUE LOT 12 BLOCK 18			
BOROUGH OF OCEANPORT		MONMOUTH COUNTY	
NEW JERSEY			
Charles Surmonte P.E. & P.L.S. New Jersey Professional Engineer and Land Surveyor License No. 35885		301 Main Street, 2nd Floor Allenhurst, New Jersey, 07711 Phone 732-660-0606 Fax 732-660-0404	
PROJECT No.	DATE:	SCALE:	SHEET:
12-975	06-10-22	1"=20'	1 OF 1



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 2860)

Meeting: 07/11/23 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2860

9.2

PB2023-06 Marina at Oceanport Partners, LLC

Block 104, Lot 1
10 Riverside Avenue
Major Site Plan Application